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22

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Practice Restricted to Intellectual Property Law

Scott Pundsack B.Ap.Sc. (Civ. Eng.), LL.B.
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Your Reference: 09/425,234
Our Reference: 4320-91

Application
Serial No.: 09/425,234
Filing Date: October 25, 1999

RESPONSE

Title: MAINTENANCE CLEANING
FOR MEMBRANES
Examiner: R. Popovics
Art Unit: 1723
Reference: 4320-91
Date: June 7, 2002

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TECHNOLOGY CENTER 1700

The Commissioner of Patents & Trademarks
Washington, D.C.
U.S.A. 20231

RESPONSE

Dear Sir:

This is in response to the communication from the Examiner dated May 20, 2002. The Examiner states that the Applicants failed to adequately respond to the provisional obviousness type double patenting rejection relating to copending application no. 09/425,235. Filed under cover of the transmittal form for this response are:

please send your reply to

Meadowvale Corporate Centre, 2000 Argentia Road
Plaza 4, Suite 430, Mississauga, Ontario, Canada L5N 1W1
t: 905 812 3600 f: 905 814 0031

Scotia Plaza, 40 King Street West, 40th Floor
Toronto, Ontario, Canada M5H 3Y2
t: 416 364 7311 f: 416 361 1398

www.bereskinparr.com

1. Papers for recording an assignment from the Applicants to Zenon Environmental Inc. and
2. A Terminal Disclaimer to Obviate a Provisional Double Patenting Rejection Over a Pending Second Application made in relation to copending application number 09/425,235 and executed on behalf of the owner, Zenon Environmental Inc.

The Applicants submit that these documents remove the provisional double patenting rejection.

For the reasons given above, the applicants submit that the application is in condition for allowance.

Respectfully submitted,

By: Scott Pundsack

Scott Pundsack

Registration No. 47,330

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1723\$

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number	09/425,234
Filing Date	October 25, 1999
First Named Inventor	RABIE, Hamid
Group Art Unit	1723
Examiner Name	Robert J. Popovics
Total Number of Pages in This Submission	5
Attorney Docket Number	4320-91

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TECHNOLOGY CENTER 1000
JUN 13 2001

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

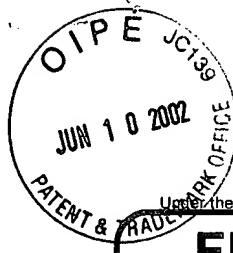
Firm or Individual name	BERESKIN & PARR, SCOTT PUNDACK, 147, 330
Signature	<i>Scott Pundack</i>
Date	June 7, 2002

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: _____

Typed or printed name			
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be send to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 150.00
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C mplete if Known

Application Number	09/425,234
Filing Date	October 25, 1999
First Named Inventor	RABIE, Hamid
Examiner Name	Robert J. Popovics
Group Art Unit	1723
Attorney Docket No.	4320-91

METHOD OF PAYMENT (check all that apply)

Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	022095
Deposit Account Name	Bereskin & Parr

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
105	130	205 65 Surcharge - late filing fee or oath	
127	50	227 25 Surcharge - late provisional filing fee or cover sheet	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive - unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	40.00
146	740	246 370 Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify) Terminal Disclaimer			110.00

SUBTOTAL (1) (\\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	<input type="text"/> - 20 ** = <input type="text"/>	X <input type="text"/> = <input type="text"/> 0.00
Independent Claims	<input type="text"/> - 3 ** = <input type="text"/>	X <input type="text"/> = <input type="text"/> 0.00
Multiple Dependent		= <input type="text"/>

Large Entity	Small Entity	Fee Description
103	18	203 9 Claims in excess of 20
102	84	202 42 Independent claims in excess of 3
104	280	204 140 Multiple dependent claim, if not paid
109	84	209 42 ** Reissue independent claims over original patent
110	18	210 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\\$) 0.00

**or number previously paid, if greater; For Reissues, see above

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\\$) 150.00

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Scott R. Pundsack	Registration No. (Attorney/Agent)	47,330	Telephone	(416) 364-7311
Signature	<i>Scott Pundsack</i>			Date	June 7, 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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